

STATE OF INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
PUBLIC NOTICE NO. 20230901– IN0024775– D
DATE OF NOTICE: SEPTEMBER 01, 2023
DATE RESPONSE DUE: OCTOBER 02, 2023

The Office of Water Quality proposes the following NPDES DRAFT PERMIT:

MINOR - MODIFICATION

WAKARUSA (TOWN) WWTP, Permit No. IN0024775, ELKHART COUNTY, East side of County Road 1 approximately ½ mile south of County Road 40, Wakarusa, IN. This minor municipal facility discharges 0.5 million gallons daily of treated sanitary wastewater into Baugo Creek via Outfall 001, located at GPS coordinates 41° 32' 34" N, 86° 02' 25" W. Final solids are hauled off-site. Permit Manager: Jay Hanko, 317/233-0704, jhanko@idem.in.gov. Posted online at <https://www.in.gov/idem/public-notice/>

PROCEDURES TO FILE A RESPONSE

Draft can be viewed or copied (10¢ per page) at IDEM/OWQ NPDES PS, 100 North Senate Avenue, (Rm 1203) Indianapolis, IN, 46204 (east end elevators) from 9 – 4, Mon - Fri, (except state holidays). A copy of the Draft Permit is on file at the local County Health Department. Please tell others you think would be interested in this matter. For your rights & responsibilities see these sites: Public Notices: <https://www.in.gov/idem/public-notice/>; Citizen Guide: <https://www.in.gov/idem/resources/citizens-guide-to-idem/>. Please tell others whom you think would be interested in this matter.

Response Comments: The proposed decision to issue a permit is tentative. Interested persons are invited to submit written comments on the Draft permit. All comments must be postmarked no later than the Response Date noted to be considered in the decision to issue a Final permit. Deliver or mail all requests or comments to the attention of the Permit Writer at the above address, (mail code 65-42 PS).

To Request a Public Hearing:

Any person may request a Public Hearing. A written request must be submitted to the above address on or before the Response Date noted. The written request shall include: the name and address of the person making the request, the interest of the person making the request, persons represented by the person making the request, the reason for the request and the issues proposed for consideration at the Hearing. IDEM will determine whether to hold a Public Hearing based on the comments and the rationale for the request. Public Notice of such a Hearing will be published in at least one newspaper in the geographical area of the discharge and sent to anyone submitting written comments and/or making such request and whose name is on the mailing list at least 30 days prior to the Hearing.



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

100 N. Senate Avenue • Indianapolis, IN 46204
(800) 451-6027 • (317) 232-8603 • www.idem.IN.gov

Eric J. Holcomb
Governor

Brian C. Rockensuess
Commissioner

September 01, 2023

VIA ELECTRONIC MAIL

Mr. Rocco Rigsby, Council President
Town of Wakarusa
P.O. Box 474
Wakarusa, IN 4657

Dear Mr. Rigsby:

Re: Draft Modification NPDES Permit No. IN0024775
Town of Wakarusa Wastewater Treatment Plant
Elkhart County

A permit modification has been processed in accordance with rules adopted under 327 IAC 5. Enclosed is the draft modification of NPDES Permit No. IN0024775 which applies to the discharge from the Town of Wakarusa Wastewater Treatment Plant (WWTP). The enclosed Pages 1, 2, 3, and 30 through 34 of 34 are intended to replace the corresponding pages in the facility's current permit.

Pursuant to IC 13-15-5-1, IDEM will publish the draft permit document online at <https://www.in.gov/idem/public-notices/>. Additional information on public participation can be found in the "Citizens' Guide to IDEM", available at <https://www.in.gov/idem/resources/citizens-guide-to-idem/>.

Please review this document carefully and become familiar with the proposed terms and conditions. Comments concerning the draft permit should be submitted in accordance with the procedure outlined in the enclosed public notice form. If you have any questions concerning this modification, please contact Jay Hanko at 317/233-0704 or Jhanko@idem.IN.gov.

Sincerely,

Leigh Voss, Chief
Municipal NPDES Permits Section
Office of Water Quality

Enclosures

cc: Randy Hughes, Certified Operator
James Emans

STATE OF INDIANA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
AMENDED AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Federal Water Pollution Control Act, as amended, (33 U.S.C. 1251 et seq., the "Clean Water Act") or (CWA), and IDEM's authority under IC 13-5, the Indiana Department of Environmental Management (IDEM) is issuing this permit to the

TOWN OF WAKARUSA

hereinafter referred to as "the permittee." The permittee owns and/or operates the **Town of Wakarusa Wastewater Treatment Plant**, a minor municipal wastewater treatment plant located on the East side of County Road 1 approximately ½ mile south of County Road 40, Wakarusa, Indiana, Elkhart County. The permittee is hereby authorized to discharge from the outfalls identified in Part I of this permit to receiving waters named Baugo Creek, located within the Lake Michigan drainage basin, in accordance with the effluent limitations, monitoring requirements, and other conditions set forth in the permit. Discharges from the combined sewer overflow outfalls listed in Attachment A of this permit, to receiving waters named Werntz Ditch, are prohibited. This permit may be revoked for the nonpayment of applicable fees in accordance with IC 13-18-20.

The permit, as issued on September 24, 2020, is hereby amended as contained herein. The amended provisions shall become effective on _____. All terms and conditions of the permit not modified at this time remain in effect. Further, any existing condition or term affected by the modifications will remain in effect until the modified provisions become effective.

This permit and authorization to discharge, as amended, shall expire at midnight, April 30, 2026. In order to receive authorization to discharge beyond the date of expiration, the permittee shall submit such information and forms as are required by the Indiana Department of Environmental Management no later than 180 days prior to the date of expiration.

Issued on _____ for the Indiana Department of Environmental Management.

Leigh Voss, Chief
Municipal NPDES Permits Section
Office of Water Quality

TREATMENT FACILITY DESCRIPTION

The permittee currently operates a Class I-SP, 0.50 MGD controlled discharge waste stabilization lagoon facility consisting of four (4) treatment cells and one (1) storage cell. Construction on a 600,000-gallon combined sewer overflow storage basin is to be completed in December of 2022.

The collection system is comprised of combined sanitary and storm sewers with four (4) Combined Sewer Overflow (CSO) locations. The CSO locations have been identified and are prohibited in Attachment A of the permit.

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

The permittee is authorized to discharge from the outfall listed below in accordance with the terms and conditions of this permit. The permittee shall take samples and measurements at a location representative of each discharge to determine whether the effluent limitations have been met. Refer to Part I.B of this permit for additional monitoring and reporting requirements.

- Beginning on the effective date of this permit, the permittee is authorized to discharge from Outfall 001, which is located at Latitude: 41° 32' 34" N, Longitude: 86° 2' 25" W. The discharge is subject to the following requirements:

TABLE 1

| Parameter | Quantity or Loading | | | Quality or Concentration | | | Monitoring Requirements | |
|-----------------------|---------------------|----------------|---------|--------------------------|----------------|-------|-------------------------|--------------|
| | Monthly Average | Weekly Average | Units | Monthly Average | Weekly Average | Units | Measurement Frequency | Sample Type |
| Stream Flow [1] | Report | ---- | MGD | ---- | ---- | ---- | Daily* | Gauge |
| Influent Flow [1] | Report | ---- | MGD | ---- | ---- | ---- | 5 X Weekly | 24-Hr. Total |
| Effluent Flow [1] | Report | ---- | MGD | ---- | ---- | ---- | Daily* | 24-Hr. Total |
| CBOD ₅ [2] | ---- | ---- | lbs/day | 25 | 40 | mg/l | Weekly | Grab |
| TSS [2] | ---- | ---- | lbs/day | 70 | 105 | mg/l | Weekly | Grab |
| Total Phosphorus [2] | Report | ---- | ---- | Report | ---- | mg/l | Monthly | Grab |

TABLE 2

| Parameter | Quality or Concentration | | | | Monitoring Requirements | |
|---------------------------|--------------------------|-----------------|---------------|------------|-------------------------|-------------|
| | Daily Minimum | Monthly Average | Daily Maximum | Units | Measurement Frequency | Sample Type |
| Effluent/Stream Ratio [1] | ---- | ---- | 0.10 | ---- | Daily* | ---- |
| pH [2][3][4] | 6.0 | ---- | 9.0 | s.u. | Weekly | Grab |
| Ammonia-nitrogen [2] | | | | | | |
| Summer [5] | ---- | 5.0 | 10 | mg/l | Weekly | Grab |
| Winter [6] | ---- | 5.3 | 11 | mg/l | Weekly | Grab |
| <i>E.coli</i> [7] | ---- | 125 [8] | 235 [9] | cfu/100 ml | Weekly | Grab |

*Monitoring of stream flow and effluent flow is required daily, when discharging.

- [1] Pursuant to 327 IAC 5-10-3(a), municipal wastewater treatment facilities with multiple cell waste stabilization ponds operating as controlled discharges may discharge at any time provided effluent limits and all other conditions of this permit are met and the daily discharge flow rate does not exceed one-tenth (1/10) of the stream flow of the receiving stream. Stream flow is measured from at a point approximately 40 yards downstream of the confluence of Baugo Creek, downstream of the discharge location. This stream gauge location has been determined to be representative of the stream flow at the outfall location. **This Office will allow the permittee to utilize the downstream stream gauge to measure stream flow as long as the permittee can document that the gauge can provide accurate stream flow measurements and not include the discharge flow from Outfall 001 when calculating the dilution ratio.** The permittee must regulate the facility's discharge such that the discharge flow does not exceed one-tenth (1/10) of the measured stream flow. Flow measurement is required per 327 IAC 5-2-13. In addition to the gauging station, flow meters must be utilized to measure both the influent and the effluent. Influent flow is to be reported five times weekly on the Monthly Report of Operation regardless of discharge. The gauging station and the flow meters shall be calibrated by the permittee as often as necessary to provide accurate and reliable data, but at least once every twelve months. The permittee shall send the resulting calibration curve or table to the following address no later than October 1 of each year to the following email address: wwreports@idem.in.gov.
- [2] Monitoring of effluent to determine compliance with the effluent limitations is required during periods of discharge. Additionally, it is recommended that CBOD₅, TSS, and pH samples be analyzed before discharge commences after a prolonged storage period so that the permittee may determine prior to discharge, that the effluent limits would be met. **Influent monitoring for CBOD₅, TSS, ammonia-nitrogen, phosphorus and pH is required monthly, regardless of discharge. The influent monitoring data shall be reported on the Monthly Report of Operations (MRO) form.**
- [3] If the permittee collects more than one grab sample on a given day for pH, the values shall not be averaged for reporting daily maximums or daily minimums. The permittee must report the individual minimum and the individual maximum pH value of any sample during the month on the Monthly Report of Operation forms.
- [4] In accordance with 327 IAC 2-1.5-8(c)(2), the pH of the effluent may not exceed nine (9.0) s.u. as a daily maximum, except in the case of daily fluctuations attributable to photosynthetic activity. Notice of such conditions must accompany the monthly DMR form for each day the pH exceeds 9.0 s.u.

ATTACHMENT A

I. Discharge Prohibition and Reporting Requirements

Discharges from any portion of the sewer collection system, except flow from the Wastewater Treatment Plant (WWTP) via Outfall 001, are prohibited. This prohibition includes discharges from the outfalls identified below.

In addition to complying with the monitoring and reporting requirements in Part III of this Attachment A, the permittee is also required to report prohibited discharges in accordance with Part II.C.3 of this permit.

| Outfall | Location | Receiving Water |
|---------|--|-----------------|
| 002 | 29581 County Road 40 41° 32' 15" N 86° 01' 56" W | Werntz Ditch |
| 004 | North Olive Street 41° 32' 17" N 86° 01' 21" W | Werntz Ditch |
| 005 | Sycamore and Olive Streets 41° 32' 17" N 86° 01' 19" W | Werntz Ditch |
| 006 | Elkhart and Sycamore Streets 41° 32' 16" N 86° 01' 13" W | Werntz Ditch |

Monitoring for the purpose of reporting on the CSO Monthly Report of Operation (State Form 50546 (R4/9-15)) shall be conducted at a location representative of untreated CSO discharges. Monitoring from a CSO regulator structure contributing flow to the CSO outfall is acceptable provided flows at this location are representative and comprised of untreated CSO flows ultimately discharged through the CSO outfall. Monitoring at the CSO outfall is considered representative except in those instances where non-CSO flows (treated effluents, separate stormwater, etc.) are also discharged through a common outfall. All non-CSO flows shall be excluded from reporting on the CSO Monthly Report of Operation.

II. Minimum Narrative Limitations

A. At all times the discharge from any and all CSO outfalls herein shall not cause receiving waters:

1. including waters within the mixing zone, to contain substances, materials, floating debris, oil, scum attributable to municipal, industrial, agricultural, and other land use practices, or other discharges that do any of the following:

- a. will settle to form putrescent or otherwise objectionable deposits;
 - b. are in amounts sufficient to be unsightly or deleterious;
 - c. produce color, visible oil sheen, odor, or other conditions in such a degree as to create a nuisance;
 - d. are in amounts sufficient to be acutely toxic to, or otherwise severely injure or kill aquatic life, other animals, plants, or humans;
 - e. are in concentrations or combinations that will cause or contribute to the growth of aquatic plants or algae to such a degree as to create a nuisance, be unsightly, or otherwise impair the designated uses.
2. outside the mixing zone, to contain substances in concentrations that on the basis of available scientific data are believed to be sufficient to injure, be chronically toxic to, or be carcinogenic, mutagenic, or teratogenic to humans, animals, aquatic life, or plants.
- B. CSO discharges from any portion of the sewer collection system are prohibited. If such a prohibited discharge should occur, the permittee is required to report the discharge in accordance with the provisions in Part II.C.3 of this permit.

III. Monitoring and Reporting Requirements

The permittee shall complete and submit accurate monitoring reports to the Indiana Department of Environmental Management. The permittee shall submit data specified on the CSO Monthly Report of Operation (MRO) for untreated CSO events (State Form 50546 (R4/9-15)). The CSO MRO form includes the following reporting parameters:

- WWTP Influent Data: average daily flow, and peak hourly flow.
- Precipitation Data: time precipitation began, precipitation duration, total daily precipitation, peak precipitation intensity, and rain gauge measurement interval.
- CSO Outfall Information: time discharge began, whether the outfall is metered or estimated, event duration, amount of CSO discharge.

The permittee is required to report all discharges from untreated CSO Outfalls identified in Part I of this Attachment A. CSO MROs shall contain results obtained during each month (a monitoring period) and shall be submitted no later than 28 days following each completed monitoring period. All NPDES permit holders are now required to submit their monitoring data to IDEM using NetDMR.

IV. CSO Operational Plan

- A. The permittee shall comply with the following minimum technology-based controls, in accordance with EPA's National CSO Control Policy:

1. The permittee shall implement proper operation and regular maintenance programs for the sewer system and the CSOs. The purpose of the operation and maintenance programs is to reduce the magnitude, frequency, and duration of CSOs. The programs shall consider regular sewer inspections; sewer, catch basin, and regulator cleaning; equipment and sewer collection system repair or replacement, where necessary; and disconnection of illegal connections.
 2. The permittee shall implement procedures that will maximize the use of collection system for wastewater storage that can be accommodated by the storage capacity of the collection system in order to reduce the magnitude, frequency and duration of CSOs.
 3. The permittee shall review and modify, as appropriate, its existing pretreatment program to minimize CSO impacts from non-domestic users. The permittee shall identify all industrial users that discharge to the collection system upstream of any CSO outfalls; this identification shall also include the pollutants in the industrial user's wastewater and the specific CSO outfall(s) that are likely to discharge the wastewater.
 4. The permittee shall operate the POTW at the maximum treatable flow during all wet weather flow conditions to reduce the magnitude, frequency, and duration of CSOs. The permittee shall deliver all flows to the treatment plant within the constraints of the treatment capacity of the POTW.
 5. Dry weather overflows from CSO outfalls are prohibited. Each dry weather overflow must be reported to IDEM as soon as the permittee becomes aware of the overflow. When the permittee detects a dry weather overflow, it shall begin corrective action immediately. The permittee shall inspect the dry weather overflow each subsequent day until the overflow has been eliminated.
 6. The permittee shall implement measures to control solid and floatable materials in CSO discharges.
 7. The permittee shall implement a pollution prevention program focused on reducing the impact of CSOs on receiving waters.
 8. The permittee shall implement a public notification process to inform citizens of when and where CSO discharges occur and their impacts. This notification must also be done in accordance with 327 IAC 5-2.1.
 9. The permittee shall monitor to effectively characterize CSO impacts and the efficacy of CSO controls.
- B. The permittee's implementation of each of the minimum controls in Part IV.A of this Attachment A shall be documented in its approved CSO Operational Plan (CSOOP). The permittee shall update the CSOOP, as necessary, to reflect changes in its operation or maintenance practices; changes to measures taken to implement the above minimum requirements; and changes to the treatment plant or collection system, including changes in collection system flow characteristics, collection system or WWTP capacity or discharge characteristics (including volume, duration, frequency, and pollutant concentration). All updates to the

CSOOP must be submitted to IDEM, Office of Water Quality, Municipal NPDES Permits Section for approval.

The CSOOP update(s) shall include a summary of the proposed revisions to the CSOOP as well as a reference to the page(s) that have been modified. Any CSOOP updates shall not result in:

1. a lower amount of flow being sent to and through the plant for treatment, or
2. more discharges (measured either by volume, duration, frequency, or pollutant concentration) occurring from the CSO outfalls.

The permittee shall maintain a current CSO Operational Plan, including all approved updates, on file at the POTW.

V. Sewer Use Ordinance Review/Revision and Enforcement

The permittee's Sewer Use Ordinance must contain provisions which: (1) prohibit introduction of inflow sources to any sanitary sewer; (2) prohibit construction of new combined sewers outside of the existing combined sewer service area; and (3) provide that for any new building the inflow/clear water connection to a combined sewer shall be made separate and distinct from sanitary waste connection to facilitate disconnection of the former if a separate storm sewer subsequently becomes available. The permittee shall continuously enforce these provisions.

VI. Reopening Clauses

- A. This permit may be reopened to address changes in the EPA National CSO Policy or state or federal law.
- B. The permit may be reopened, after public notice and opportunity for hearing, to incorporate applicable provisions of IC 13-18.

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**National Pollutant Discharge Elimination System
Briefing Memo for
Town of Wakarusa Wastewater Treatment Plant
Draft: August 2023
Final: TBD**

Indiana Department of Environmental Management

100 North Senate Avenue
Indianapolis, Indiana 46204
(317) 232-8603
Toll Free (800) 451-6027
www.idem.IN.gov

| | |
|-------------------------------------|--|
| Permittee: | Town of Wakarusa Mr. Rocco Rigsby, Council President P.O. Box 474 Wakarusa, IN 4657 rocco@townofwakarusa.com |
| Existing Permit Information: | Permit Number: IN0024775 Expiration Date: April 30, 2026 |
| Facility Contact: | Mr. Randy Hughes, Certified Operator 574/862-4632 Randy@townofwakarusa.com |
| Facility Location: | East side of County Road 1 approximately ½ mile south of County Road 40 Wakarusa, Indiana Elkhart County |
| Receiving Stream: | Baugo Creek |
| GLI/Non-GLI: | GLI |
| Proposed Permit Action: | Modification |
| Date Application Received: | Initiated by IDEM |
| Facility Category: | NPDES Minor Municipal |
| CSO Project | Kara Wendholt 317/233-5961 KWendhol@idem.IN.gov |
| Permit Writer: | Jay Hanko 317/233-0704 Jhanko@idem.IN.gov |

Outfall Location

Latitude: 41° 32' 34" N

Longitude: 86° 2' 25" W

Background

This is the modification of the NPDES permit for the Town of Wakarusa Wastewater Treatment Plant. The facility's current permit was effective on May 1, 2021, and has an expiration date of April 30, 2026.

The permit modification is being initiated at the request of IDEM Field Inspection staff who conducted a Flow Measurement Study on Baugo Creek August 11, 2022. A second modification is being initiated by IDEM to Attachment A of the permit to revise specific requirements affected by the full implementation of Wakarusa's CSO Long Term Control Plan (LTCP).

The Flow Measurement Study noted that the facility's Outfall is located at Baugo Creek, at the confluence of Werntz and Wisler Ditches. The stream gauge used to determine dilution ratios for controlled discharge is located approximately 40 yards downstream of the confluence, thus downstream of the facility's outfall.

Pursuant to 327 IAC 5-10-3(b), multi-celled treatment facilities which are designed and operated as controlled discharge plants, upstream flow is to be measured using a gauging station which is calibrated at least annually. This is also a requirement of Part I.A.1, footnote [1] of the Wakarusa NPDES permit. However, the Flow Measurement Study recognizes that the current location of the stream gauge is the best possible location given the specifics of the site but does not comply with the permit or regulatory requirements, and requests that the permit be modified to recognize and allow for the actual stream measurement to be reported for compliance purposes.

Modification

The following changes have been made for the modification of the NPDES permit:

- | | |
|--------------|--|
| Page 1 of 34 | This page has been modified to reflect the modification effective date for the permit, and to remove the authorization to discharge from combined sewer overflow outfalls listed in Attachment A of the permit. |
| Page 2 of 34 | This page has been modified to note under the Treatment Facility Description section that CSO discharges are prohibited. |
| Page 3 of 34 | This page has been modified to revise footnote [1] of the permit to reflect the actual location of the stream gauge and the calculation of the dilution ratio for controlled discharge. Footnote [1] now reads in part: <i>Stream flow is measured from at a point approximately 40 yards downstream of the confluence of Baugo Creek, downstream of the discharge location. This stream gauge location has been determined to be representative of the stream flow at the outfall location. This Office will allow the permittee to</i> |

utilize the downstream stream gauge to measure stream flow as long as the permittee can document that the gauge can provide accurate stream flow measurements and not include the discharge flow from Outfall 001 when calculating the dilution ratio. The permittee must regulate the facility's discharge such that the discharge flow does not exceed one-tenth (1/10) of the measured stream flow.

Pages 30-33
of 34

These pages have been modified to reflect the change in designation of CSO discharges from authorized to prohibited since the Town of Wakarusa has fully implemented their LTCP. The modified language includes additional reporting requirements for prohibited CSO discharges. Due to the change in designation of CSO discharges from authorized to prohibited, the public notification requirements found at 40 CFR 122.38 and 327 IAC 5-2.2 are no longer applicable. The Town of Wakarusa shall comply with state public notification requirements found at 327 IAC 5-2.1. Also, in order to comply with Office policy on rounding, the GPS coordinates for the CSO outfalls have been changed to round the 'seconds' portion of the measurement to the nearest whole number; however, the physical location of the outfalls have not changed.

Page 34 of 34 This page has intentionally been left blank for page number consistency with the current NPDES permit.

Expiration Date

The expiration date of the permit has not changed. The permit, as modified, will expire at midnight on April 30, 2026.

Permit Processing/Public Comment

Pursuant to IC 13-15-5-1, IDEM will publish the draft permit modification document online at <https://www.in.gov/idem/public-notices/>. Additional information on public participation can be found in the "Citizens' Guide to IDEM", available at <https://www.in.gov/idem/resources/citizens-guide-to-idem/>. A 30-day comment period is available to solicit input from interested parties, including the public.